

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1-13 have been canceled without prejudice or disclaimer of the subject matter contained therein. Claims 14-21 have been added. Thus, claims 14-21 are pending in the present application, of which claims 14, 20 and 21 are independent.

Noted - Priority Document Received By USPTO

The indication (see a previous Office Action mailed on December 9, 2008, Office Action Summary, box 12(a)(1) as checked) that the certified copy(ies) of the priority document(s) has been received by the USPTO is noted with appreciation.

Noted - IDS Considered

The indication (see the attachment to a previous Office Action mailed on December 9, 2008) that the Information Disclosure Statement (IDS) as filed on 02/26/2004 and references listed therein have been considered is noted with appreciation.

Noted - Drawings Approved

The indication (see a previous Office Action mailed on December 9, 2008, Office Action Summary, box 10(a) as checked) that the Drawings (submitted on February 26, 2004) have been approved is noted with appreciation.

Requirement for Information

The Office Action states that "Applicant is required to submit any communications from the Japanese patent office, with an English translation, which may have bearing upon the patentability of the application."

It should be noted that the corresponding Japanese Patent Application No. 2003-336736 has been granted a patent and assigned Japanese Patent No.

4,447,876. Accordingly, the Notifications of Reasons for Refusal dispatched on February 3, 2009 and September 1, 2009, and Decision to Grant a Patent dispatched on January 19, 2010, along with their respective English translations, are also being submitted.

Claim Objection

Claims 1, 6, 8 and 10-13 are objected to because the claims use the abbreviation "ID" without defining the abbreviation. By the foregoing amendments, Claims 1, 6, 8 and 10-13 have been canceled, rendering moot the claim objection. Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejections Under 35 U.S.C. §112

Claim 13 is rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. By the foregoing amendments, claim 13 has been canceled, thereby rendering moot the claim rejection.

Claims 1 and 10-13 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. By the foregoing amendments, claims 1 and 10-13 have been canceled, thereby rendering moot the claim rejection.

Claim 13 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite. By the foregoing amendments, claim 13 has been canceled, thereby rendering moot the claim rejection.

Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejection Under 35 U.S.C. §101

Claims 1 and 10-13 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. By the foregoing amendments, claims 1 and 10-13 have been canceled, thereby rendering moot the claim rejection. Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejection Under 35 U.S.C. §103

Claims 1, 6, 8 and 10-12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rogers et al. (US Patent No. 5,978,774, hereafter refer to as "Rogers"). By the foregoing amendments, claims 1, 6, 8 and 10-12 have been canceled, thereby rendering moot the claim rejection. Accordingly, withdrawal of the rejection is respectfully requested.

New Claims

Again, new claims 14-21 have been added. As for new claims 14-21 not argued above, the following comments are provided.

As explained above, the corresponding Japanese Patent Application No. 2003-336736 is granted to a patent and is assigned Japanese Patent No. 4,447,876. New claims 14-19 are directed to a product registration management apparatus so as to respectively claim the subject matter of allowed claims 1-6 of the Japanese Patent No. 4,447,876. Claim 20 is directed to a product registration management method with features similar to those recited in new claim 14. Claim 21 is directed to a computer readable medium with features similar to those recited in new claim 14. Further, new independent claims 14, 20 and 21 properly explain the abbreviation "ID."

NEW INDEPENDENT CLAIM 14

As an example, independent claim 14 recites (among other things) features of:

- a product information acquisition unit that acquires product information including a product ID (identification) identifying a product to be registered;
- a product information registration unit that registers product information of a shipped product;
- a proper registration propriety decision unit that refers the product information registration unit by using the acquired product information, and decides whether or not the acquired product information is to be properly registered in the product information registration unit based on whether or not the acquired product information is registered in the product information registration unit;

a temporary registration condition storage unit that stores temporary registration condition information providing a condition permitting temporary registration of product information; and

a temporary registration unit that temporarily registers the acquired product information when the acquired product information is decided as improper to be registered in the product information registration unit by the proper registration propriety decision unit and when the acquired product information meets the temporary registration condition information.

As will be explained below, at least these features of claim 14 provide distinctions over Rogers.

Rogers merely describes that "[a]n electronic registration system which facilitates authorized product returns and reduces the incidence of improper returns." Rogers actually notes that "Returning now to FIG. 4, the manufacturer computer system 14 decodes the serial number information received from the retailer (block 216). The decoded serial number information is initially stored in a temporary database (block 218) and the serial number information is encoded with the retailer's name, the registration date, the sale date, the last date on which returns will be accepted, and the last date for warranty repairs (block 220). The individual serial numbers may then be validated using the check digit technique discussed above, and the data is transferred to the manufacturer's general database (block 222)." (Underlining is added for emphasis.) Rogers further notes that "[f]ollowing validation of the serial numbers, an on-line summary report may be generated which lists all accepted and rejected serial numbers (block 224). The valid data is then stored in the manufacturer's national serial number database." (Underlining is added for emphasis.) Thus, Rogers fails to disclose the noted features of claim 14. Hence, the noted features of claim 14 provide distinctions over Rogers.

Among other things, a *prima facie* case of obviousness must establish that the asserted reference teaches or suggests each and every element of the claimed invention. In view of the distinctions of claim 14 noted above, at least one claimed element is not present in the reference. Hence, the Office Action fails to establish a

prima facie case of obviousness vis-à-vis claim 14. Claims 15-19 ultimately depend from claim 14, and so at least similarly distinguish over the asserted reference.

NEW INDEPENDENT CLAIMS 20 AND 21

As an example, independent claims 20 and 21 recite (among other things) features of:

- acquiring product information including a product ID (identification) identifying a product to be registered;
- referring to a product information registration unit which registers product information of a shipped product, by using the acquired product information so as to decide whether or not the acquired product information is to be properly registered in the product information registration unit based on whether or not the acquired product information is registered in the product information registration unit; and
- registering the acquired product information temporarily in a temporary registration unit when the acquired product information is decided as improper to be registered in the product information registration unit by the referring and when the acquired product information meets temporary registration condition information providing a condition permitting temporary registration of product information.

As will be explained below, at least these features of claims 20 and 21 provide distinctions over Rogers.

Rogers merely describes that "[a]n electronic registration system which facilitates authorized product returns and reduces the incidence of improper returns." Rogers actually notes that "Returning now to FIG. 4, the manufacturer computer system 14 decodes the serial number information received from the retailer (block 216). The decoded serial number information is initially stored in a temporary database (block 218) and the serial number information is encoded with the retailer's name, the registration date, the sale date, the last date on which returns will be accepted, and the last date for warranty repairs (block 220). The individual serial numbers may then be validated using the check digit technique discussed above, and the data is transferred to the manufacturer's general database (block 222)." (Underlining is added for emphasis). Rogers further notes that

"[f]ollowing validation of the serial numbers, an on-line summary report may be generated which lists all accepted and rejected serial numbers (block 224). The valid data is then stored in the manufacturer's national serial number database."

(Underlining is added for emphasis). Rogers fails to disclose the noted features of claim 14. Hence, the noted features of claims 20 and 21 provide distinctions over Rogers.

Among other things, a *prima facie* case of obviousness must establish that the asserted reference teaches or suggests each and every element of the claimed invention. In view of the distinctions of claims 20 and 21 noted above, at least one claimed element is not present in the reference. Hence, the Office Action fails to establish a *prima facie* case of obviousness vis-à-vis claims 20 and 21.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below.

Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 50-4610.

Respectfully submitted,

Dated: June 21, 2010

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